

Application No. 10/645,758
Reply to Office Action of March 28, 2006

LISTING OF CLAIMS

This listing of claims will replace all prior versions, and listing, of claims in the application:

List of Claims:

Claims 1-5 (canceled)

6. (Currently Amended) A confectionary product comprising[[:]] two outer wafer layers ;~~and at least one inner wafer layer~~, wherein the wafer layers ~~layer~~ includes 1 to 10% by weight cocoa powder. are formed from a batter material which comprises:

from 36 to 39% by weight flour;

from 0.6 to 0.9% by weight salt;

from 1.5 to 1.8% by weight vegetable oil;

from 0.2 to 0.3% by weight Lecithin;

from 0.05 to 0.07% by weight sodium bicarbonate;

from 2 to 10% by weight cocoa powder; and

from 54 to 58% by weight water.

7. (Canceled)

8. (Currently Amended) The confectionary product of claim 6 [[7]], wherein the wafer layers ~~layer~~ indicates include 2 to 8% by weight cocoa powder.

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9. (Currently Amended) The confectionary product of claim 8, wherein the wafer layers include ~~includes~~ 3 to 6% by weight cocoa powder.

10. (Original) The confectionary product of claim 6, wherein the confectionary product includes cream filling between the wafer layers.

11. (Original) The confectionary product of claim 6, wherein the confectionary product is enrobed with chocolate.

12. (Currently Amended) A method for producing a wafer comprising blending a wafer batter with from [[1]] ~~2~~ to 10% by weight cocoa powder to a viscosity as measured in a Ford cup like viscosimeter to a flow out time of at least 39 seconds at a temperature of 18 to 20°C .

13. (Currently Amended) The method of claim 12, wherein the wafer batter comprises:

from 36 to 39% by weight flour;
from 0.6 to 0.9% by weight salt;
from 1.5 to 1.8% by weight vegetable oil;
from 0.2 to 0.3% by weight Lecithin;
from 0.05 to 0.07% by weight sodium bicarbonate;
from [[1]] ~~2~~ to 10% by weight cocoa powder; and
from 54 to 58% by weight water.

14. (Original) The method of claim 13, wherein the wafer batter includes 2 to 8% by weight cocoa powder.

15. (Original) The method of claim 14, wherein the wafer batter includes 3 to 6% by weight cocoa powder.

16. (Currently Amended) A method for producing a confectionary product comprising:

blending a wafer batter with from [[1]] 2 to 10% by weight cocoa powder;

baking the wafer batter to form a wafer; and

stacking the wafers together with a filling between the wafers.

17. (Currently Amended) The method of claim 16, wherein the wafer batter comprises:

from 36 to 39% by weight flour;

from 0.6 to 0.9% by weight salt;

from 1.5 to 1.8% by weight vegetable oil;

from 0.2 to 0.3% by weight Lecithin;

from 0.05 to 0.07% by weight sodium bicarbonate;

from [[1]] 2 to 10% by weight cocoa powder; and

from 54 to 58% by weight water.

18. (Original) The method of claim 17, wherein the wafer batter includes 2 to 8% by weight cocoa powder.

19. (Original) The method of claim 18, wherein the wafer batter includes 3 to 6% by weight cocoa powder.

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20. (Original) The method of claim 16, wherein the confectionary product is enrobed with chocolate.

21. (New) The confectionary product of claim 6, wherein the confectionary product has a length of about 90 mm to about 92 mm, a width of about 30 mm, and a height of about 21 mm.

22. (New) The confectionary product of claim 6, wherein the confectionary product has one or more inner wafer layers and cream fillings between the wafer layers.

23. (New) The confectionary product of claim 22, wherein the confectionary product has 6 or 7 wafer layers and correspondingly 5 or 6 cream filling layers.